



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

Promoting the wise use of land  
Helping build great communities

<b>MEETING DATE</b> July 15, 2005	<b>CONTACT/PHONE</b> Stephanie Fuhs (805) 781-5721	<b>APPLICANT</b> Dennis Spiller	<b>FILE NO.</b> DRC2004-00193
<b>EFFECTIVE DATE</b> July 29, 2005			
<b>SUBJECT</b> Request by Dennis Spiller for a Minor Use Permit to allow an existing 700 square foot pre-1976 mobile home as a secondary dwelling located within 250 feet of the primary residence on the site. Additionally, the applicant is requesting a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material and roof overhangs. No site disturbance is proposed as part of the project. The proposed project is within the Residential Rural land use category and is located at 421 Stanton Street, approximately 3 miles north of the community of Nipomo. The site is in the South County (Inland) planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit DRC2004-00193 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 1 Categorical Exemption was issued on May 12, 2005 (ED04-513).			
<b>LAND USE CATEGORY</b> Residential Rural	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 091,063,022	<b>SUPERVISOR DISTRICT(S)</b> 4
<b>PLANNING AREA STANDARDS:</b> None Applicable to this project			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.30.450- Individual Mobile Homes, 22.30.470 – Secondary Dwellings <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>FINAL ACTION</b> This tentative decision will become final action on the project, effective on the 15 <sup>th</sup> day following the administrative hearing, or on July 29, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
<b>EXISTING USES:</b> Residential			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Rural/Residences      East: Residential Rural/Residences South: Residential Rural/Residences      West: Residential Rural/Residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works	
TOPOGRAPHY: Level to gently sloping	VEGETATION: Grasses, forbs and eucalyptus trees
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: April 13, 2005

## DISCUSSION

**PROJECT HISTORY:** This Minor Use Permit is to allow an existing 700 square foot pre-1976 mobile home as a secondary dwelling located within 250 feet of the primary residence.

**LAND USE ORDINANCE STANDARDS:** The project meets the requirements of Section 22.30.450 of Title 22 of the San Luis Obispo County Code for location, minimum site area and setbacks. Because the proposed mobile home is not visible from any public road, the applicant is requesting a waiver of the exterior design standards of Section 22.30.470(E) of Title 22 of the San Luis Obispo County Code.

**COMMUNITY ADVISORY GROUP COMMENTS:** The Nipomo Community Advisory Council had no comments.

**AGENCY REVIEW:**  
Public Works – Any new driveway will require an encroachment permit.

**LEGAL LOT STATUS:**  
The one parcel was created by a map, when this was the legal method for creating parcels.

Staff report prepared by Stephanie Fuhs  
and reviewed by Kami Griffin, Supervising Planner

EXHIBIT A - FINDINGS

*CEQA Exemption*

- A. The project qualifies for a Categorical Exemption (Class 1) pursuant to CEQA Guidelines Section 15303 because the proposed mobile home is an existing mobile home on the same site having the same purpose and capacity.

*Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed mobile home does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed mobile home is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Stanton Street, a local road constructed to a level able to handle any additional traffic associated with the project.
- G. Because the proposed mobile home will not be visible from any public road, waiver of the exterior design standards for siding, roof material and roof overhangs will not create a significant visual impact.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
  - a. an existing 700 square foot mobile home located within 250 feet of the existing primary residence.
  - b. a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material and roof overhangs
  - c. maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

*Site Development*

2. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

*Fire Safety*

4. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

*Services*

5. At the time of application for construction permits, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. At the time of application for construction permits, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed or is installed on the site.

Conditions to be completed prior to issuance of a construction permit

*Fees*

7. Prior to issuance of a construction permit, the applicant shall pay all applicable school and public facilities fees.

*Owner Occupancy Requirement*

8. **Prior to issuance of a construction permit**, the applicant for the second unit shall record a notice against the property notifying any subsequent purchaser that failure to meet this requirement will subject the second unit to abatement by the county pursuant to Chapter 22.74 of this title. No secondary dwelling shall be allowed on the site unless an owner of the site agrees to occupy one unit on the site as his or her primary residence.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

9. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
10. Prior to occupancy of any structure associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**On-going conditions of approval (valid for the life of the project)**

11. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
12. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

4



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

VICTOR HOLANDA, AICP  
DIRECTOR

DATE:

3/15/05

From

PW

SPILLER

FROM  
70

South Co. Team

(Please direct response to the above)

DR 2004-00193

Project Name and Number

Development Review Section (Phone:

788-2009 )

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNER)

PROJECT DESCRIPTION:

MUP -> 700 SF, 1967 single-wide  
mobile home on 5 acres off Staton St. & Lyn Rd,  
SW of Hwy. 101. APN: 091-063-000. Between Arroyo  
Grande & Nilpomo.

Return this letter with your comments attached no later than:

3/30/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)  
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

RECOMMEND APPROVAL - NEW DRIVEWAY will require an ENVIRONMENTAL  
PERMIT. IF THIS IS A NEWLY PERMITTED STRUCTURE AND NOT A REPLACEMENT  
OF EXISTING SFR - THEN ROAD FEES will be DUE.

08 April 2005  
Date

Gustav  
Name

5252  
Phone

# GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

File No DRC2004-00193

## APPLICATION TYPE CHECK ALL THAT APPLY

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Emergency Permit                        | <input type="checkbox"/> Tree Permit                              | <input type="checkbox"/> Plot Plan                   |
| <input type="checkbox"/> Zoning Clearance                        | <input type="checkbox"/> Site Plan                                | <input checked="" type="checkbox"/> Minor Use Permit |
| <input type="checkbox"/> Conditional Use Permit/Development Plan |   | <input type="checkbox"/> Variance                    |
| <input type="checkbox"/> Surface Mining/Reclamation Plan         | <input type="checkbox"/> Curb, Gutter & Sidewalk Waiver           |  |
| <input type="checkbox"/> Other                                   | <input type="checkbox"/> Modification to approved land use permit |  |

## APPLICANT INFORMATION Check box for contact person assigned to this project

☒ Landowner Name Dennis + Julie Spiller Daytime Phone 489-0893  
Mailing Address 421 Stanton St Zip 93420  
Email Address: Spillers46earthlink.net

☐ Applicant Name Dennis Spiller Daytime Phone 489-0893  
Mailing Address 421 Stanton St Zip 93420  
Email Address: \_\_\_\_\_

☐ Agent Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Zip \_\_\_\_\_  
Email Address: \_\_\_\_\_

## PROPERTY INFORMATION

Total Size of Site: 5 acres Assessor Parcel Number(s): 091-063-022  
Legal Description: lot 14, Porter Pacific Euc tract 1, SLO county Book 2 pg 33  
Address of the project (if known): unknown

Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: Stanton + Lyn Rd, take asphalt drive just west of 421 Stanton St, turn left onto gravel rd. approx. 300'

Describe current uses, existing structures, and other improvements and vegetation on the property: Single family mobil home with eucalyptus trees.

## PROPOSED PROJECT

Describe the proposed project (inc. sq. ft. of all buildings): Single wide mobil home approx 700 sq feet, 50'x14' - 1972 1967

## LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Dennis U. Spiller Date 3-11-05

## FOR STAFF USE ONLY

Reason for Land Use Permit: Pre 1976 Modular existing



8F  
 SAN LUIS OBISPO COUNTY  
 DEPARTMENT OF PLANNING AND BUILDING

4  
**RECEIVED**

VICTOR HOLANDA, AICP  
 MAR 18 2005 DIRECTOR

THIS IS A NEW PROJECT REFERRAL

CITY OF ARROYO GRANDE  
 COMMUNITY DEVELOPMENT

DATE:

3/15/05

TO:

City of A.G.

FROM:

South Co. Team  
 (Please direct response to the above)

SPILLER

DR-2004-00193  
 Project Name and Number

Development Review Section (Phone:)

788-2009

\*OR ASK THE SWITCH-  
 (BOARD FOR THE PLANNER)

## PROJECT DESCRIPTION:

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 mobile home on 5 acres off Station St & Lynn Rd,  
 SW of Hwy. 101. APN: 091-063-022. Between Arroyo  
 Grande & Nipomo

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3/30/05

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☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to  
 reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of  
 approval you recommend to be incorporated into the project's approval, or state reasons for  
 recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

No Comment

March 18, 2005

Date

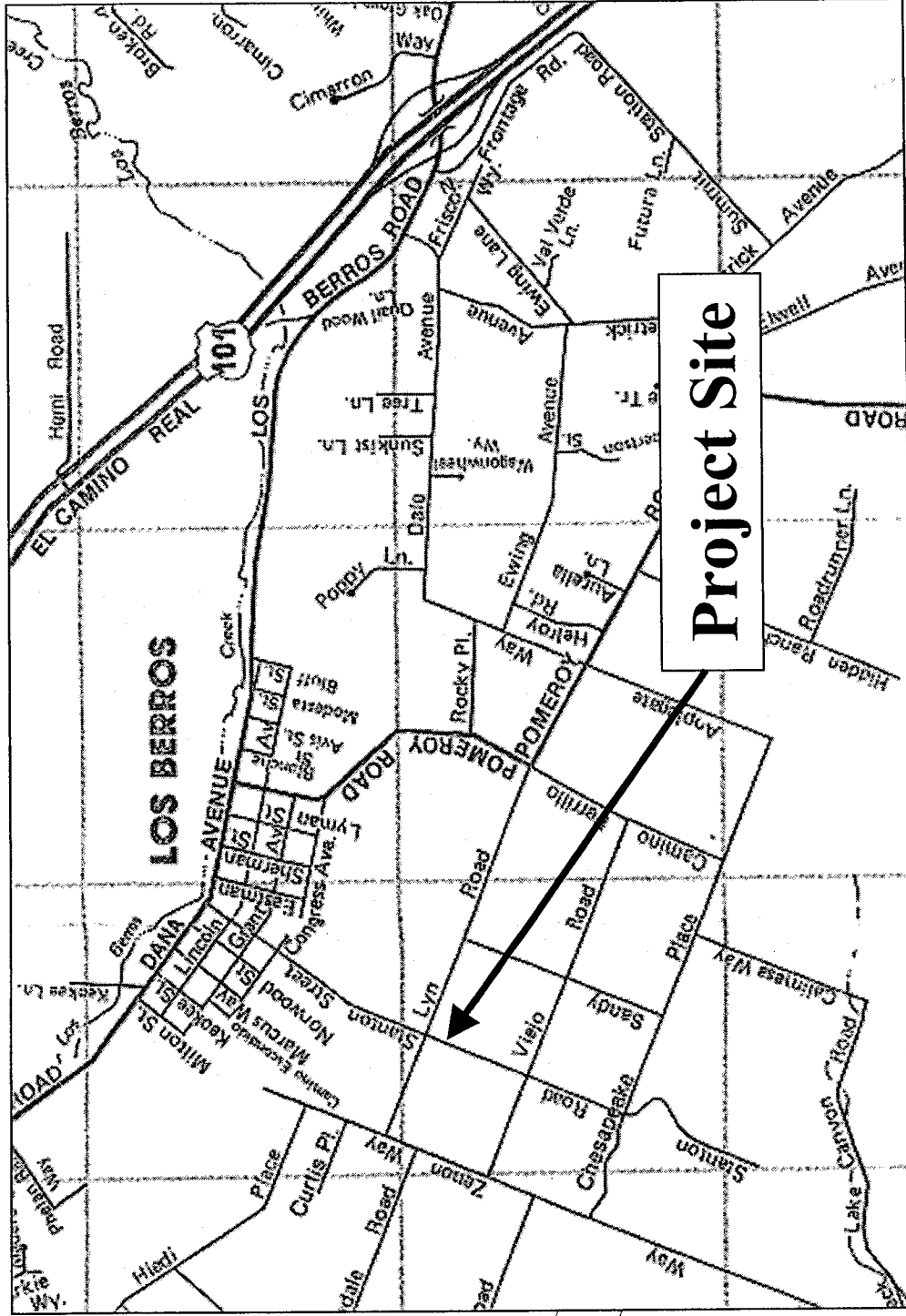
Rob Strong, Comm Dev. Dir

Name

4735420

Phone





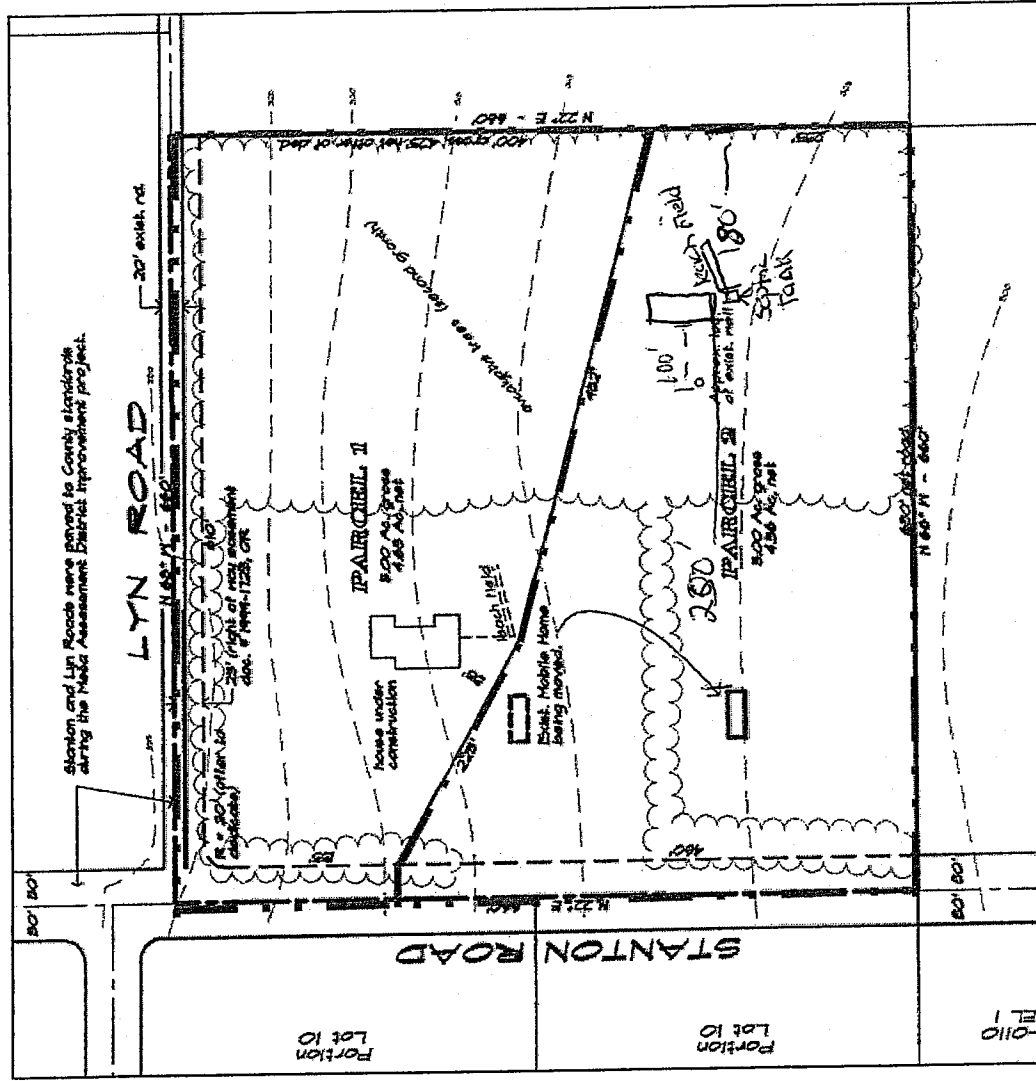
Project

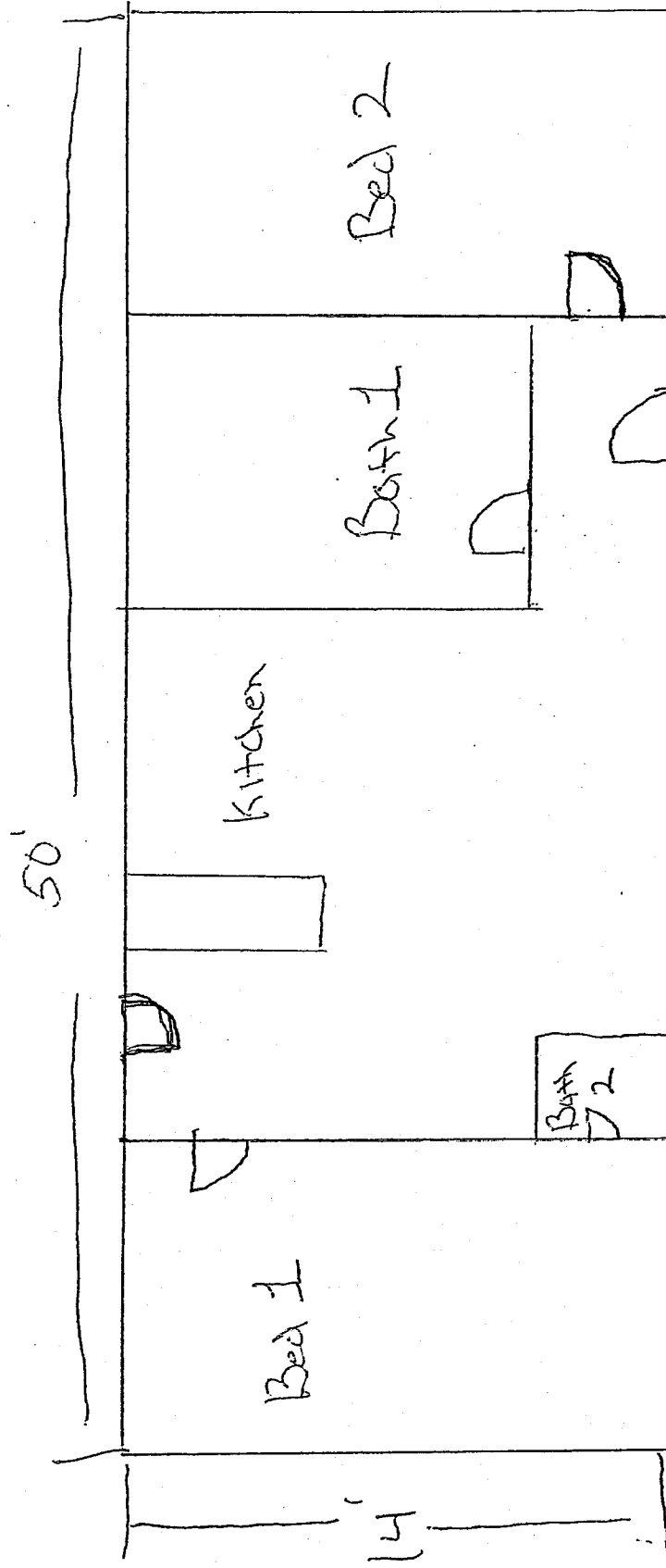
Spiller Minor Use Permit DRC2004-00193

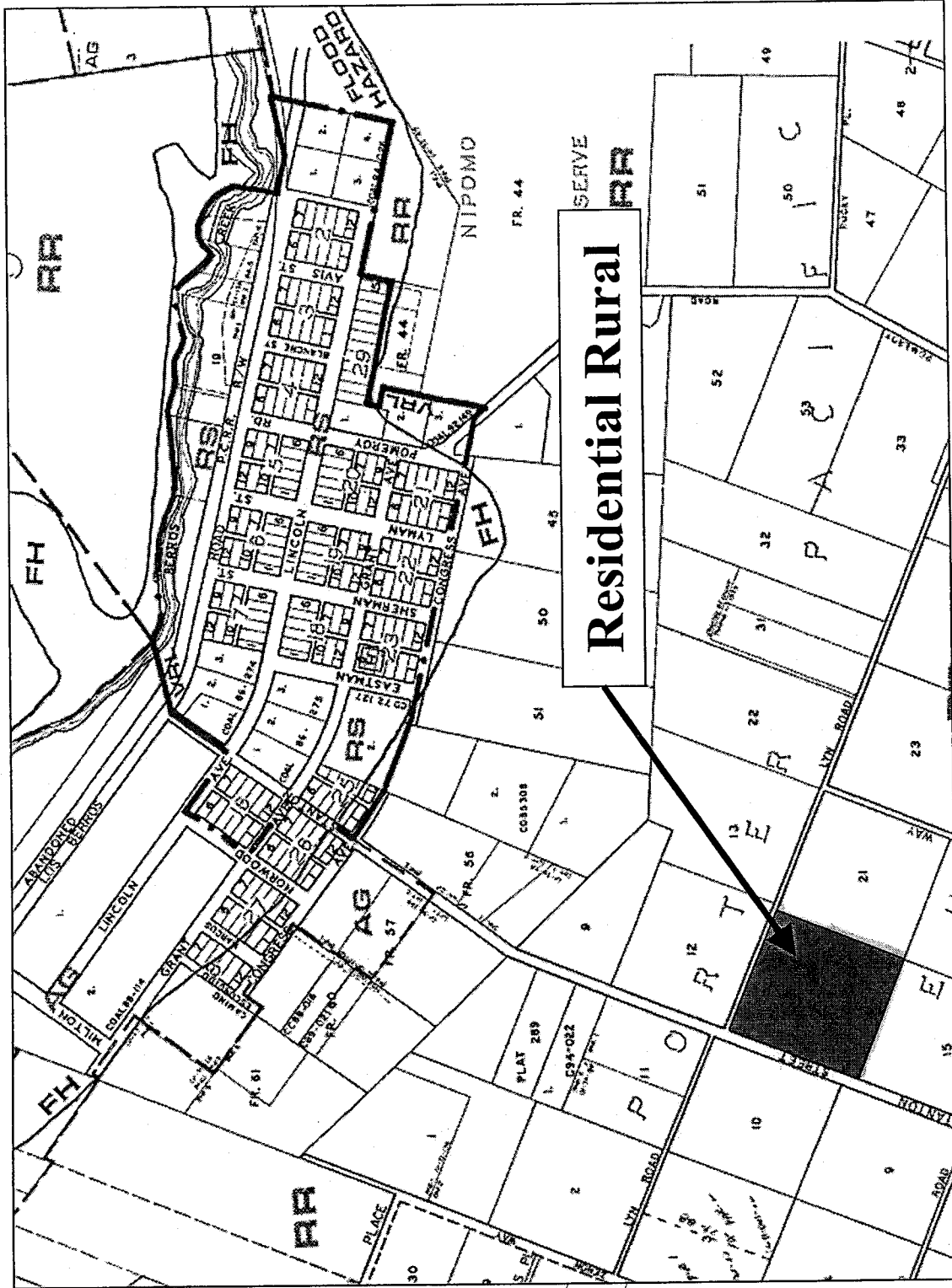


Exhibit

Vicinity Map







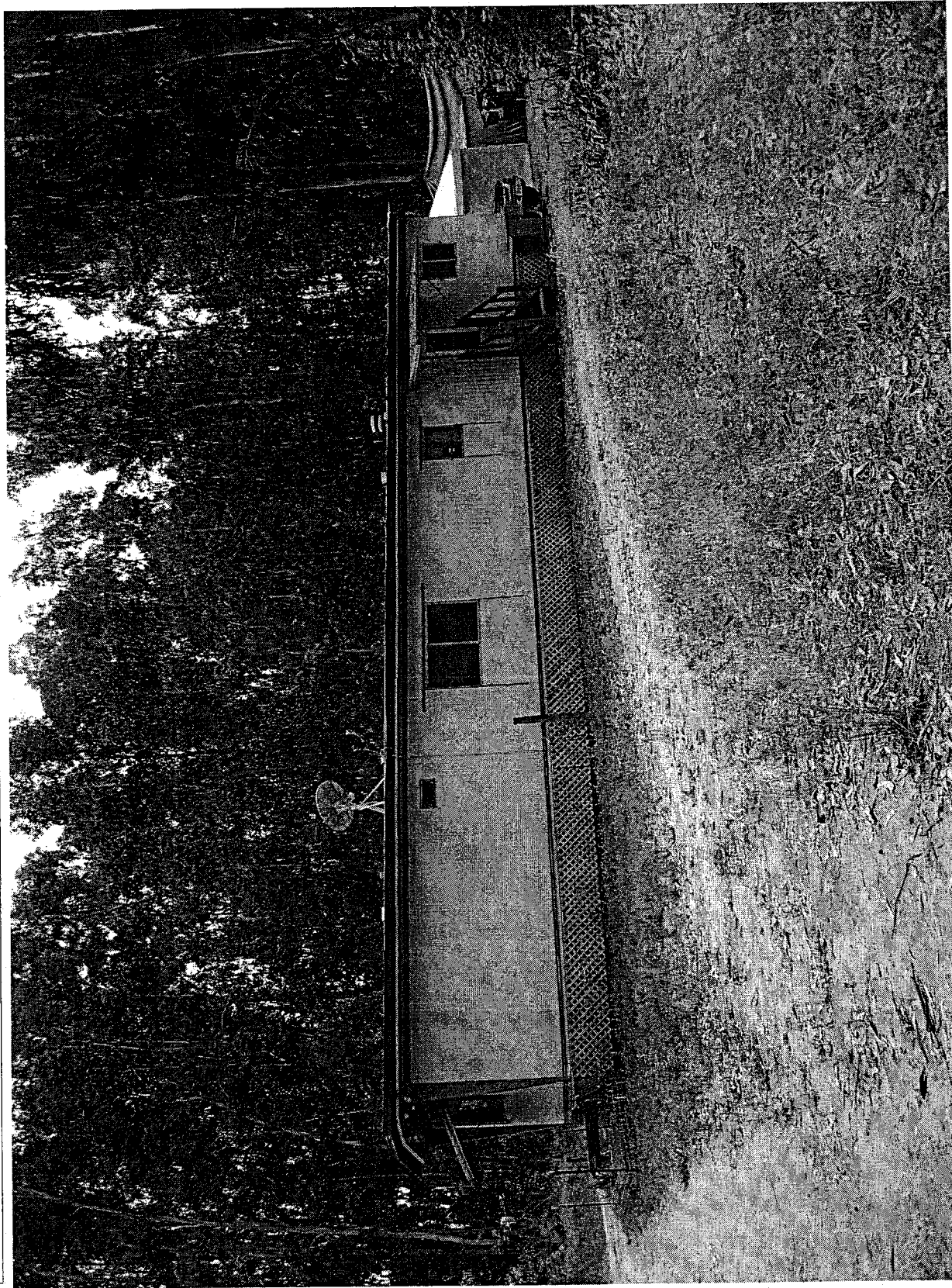
Project

Spiller Minor Use Permit DRC2004-00193

Exhibit

Land Use





Project

Spiller Minor Use Permit

DRC2004-00193

Exhibit

Elevation

